

PROFESSIONAL LICENSING AND REGULATION BUREAU[193]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 546.3 and 546.10, the Professional Licensing and Regulation Bureau hereby gives Notice of Intended Action to amend Chapter 4, “Proof of Legal Presence,” Iowa Administrative Code.

These proposed amendments address a license applicant’s requirement to provide a social security number under 42 U.S.C. Section 666(a)(13) and Iowa Code sections 252J.8(1), 261.126(1), and 272D.8(1).

All of the seven boards of the Professional Licensing and Regulation Bureau reviewed the proposed amendments without objection. The amendments are intended to clarify that applicants with social security numbers must disclose the numbers in order to be licensed. The amendments further provide a process to follow when applicants have applied for a social security number under a lawful visa but have not yet received the number at the time of application.

Consideration will be given to all written suggestions or comments on the proposed amendments received no later than 4:30 p.m. on October 25, 2012. Comments should be addressed to David Batts, State of Iowa Professional Licensing and Regulation Bureau, 1920 S.E. Hulsizer Road, Ankeny, Iowa 50021. E-mail may be sent to david.batts@iowa.gov.

A public hearing will be held on October 25, 2012, at 9 a.m. in the Second Floor Bureau Conference Room, 1920 S.E. Hulsizer Road, Ankeny, Iowa, at which time persons may present their views on the proposed amendments either orally or in writing. At the hearing, any person who wishes to speak will be asked to give the person’s name and address for the record and to confine remarks to the subject of the proposed amendments.

These amendments do not have any fiscal impact to the state of Iowa.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 252J.8(1), 261.126(1), 272D.8(1), and 546.10.

The following amendments are proposed.

ITEM 1. Amend **193—Chapter 4**, title, as follows:

SOCIAL SECURITY NUMBERS AND PROOF OF LEGAL PRESENCE

ITEM 2. Amend rule 193—4.1(546) as follows:

193—4.1(546) Purpose. This chapter outlines a uniform process for applicants and licensees of all boards in the bureau to establish proof of legal presence pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C.1621). This chapter also addresses the requirement that a license applicant provide a social security number under 42 U.S.C. 666(a)(13) and Iowa Code sections 252J.8(1), 261.126(1), and 272D.8(1) for purposes including the collection of child support obligations, college student loan obligations, and debts owed to the state of Iowa.

ITEM 3. Adopt the following **new** rule 193—4.4(252J,261,272D,546):

193—4.4(252J,261,272D,546) Social security number disclosure.

4.4(1) An individual applying for a license from a board within the bureau shall disclose the individual’s social security number on the application form unless:

a. The applicant demonstrates to the satisfaction of the board that the applicant does not possess and is not eligible for a social security number, or

b. The applicant demonstrates or attests that the applicant is in the process of applying for a social security number and will provide such number within 60 days of the date on which the applicant submits the application to the board. The license of an applicant who is licensed pursuant to this subrule may be revoked for failure to provide a valid social security number within 60 days of the date on which application was filed.

4.4(2) An applicant who does not possess a social security number and is not eligible for a social security number will be required to demonstrate lawful presence in the United States, if applicable, and provide government-issued photo identification as needed to verify identity. If circumstances change and the applicant or licensee later attains a social security number, the applicant or licensee shall disclose the social security number to the board within 30 days of the date on which the social security number is issued.